

**Town of Foxborough  
Conservation Commission Minutes  
September 23, 2013**

**Members Present:** Allan Curtis (Vice Chair), Eric Nelson (Clerk), Judith Johnson and Valerie Marshall  
**Members Absent:** Robert Boette (Chair), Douglas Davis, James Marsh  
**Staff Present:** Jane Sears Pierce, Conservation Manager, and Lee Ann Tavares, Secretary  
**Others Present:** See attached sign-in sheet

**Meeting Opened**

Allan Curtis opened the meeting, held at the Andrew A. Gala meeting room, at 7:00 p.m.

**190 East Street, Request for Determination**

Information Reviewed: RFD received 9/3/13

Al opened the meeting by reading the legal notice, as posted in the Sun Chronicle and the Foxboro Reporter. The Applicant's representative, John Glossa, of Glossa Engineering, was present to review the proposed project, which included the installation of a new septic system to replace an existing cesspool. Mr. Glossa explained that the system's 1,500 gallon tank and Cultec chambers will be located 54 feet from wetlands. The leaching pipes will be raised and the back yard's surface elevations will remain the same; the system will not be mounded. The lot is higher than the abutting wetlands, which are located at the bottom of a steep slope. Hay bales and silt fence will be installed around the stockpile areas.

**Motion** was made by Judi Johnson to issue a Negative Determination (checking #3 and #6) for 190 East Street; seconded by Valerie Marshall. **Vote: 4:0:0**

**50 Granite Street, Request for Determination**

Information Reviewed: RFD received 9/9/13

Al opened the meeting by reading the legal notice, as posted in the Sun Chronicle and the Foxboro Reporter. The Applicant, Ellen Greiner, and her representative, Molly Moran of Moran & Associates, were present to review the proposed project, which included the construction of a small addition, the removal of one tree and the reconstruction of an existing shed. The proposed addition would connect an existing sunroom and porch, to the rear of the house. They planned to remove the porch to square off the house. Erosion controls will be placed along the 250 foot contour line, since the yard has a steep pitch down to the lake. They also propose to remove a large evergreen tree, located next to the house, since it is deteriorating the roof, which needs to be repaired. After discussion, it was decided that the proposed shed replacement would be excluded from this filing, since it was right next to Cocasset Lake. The proposed work on the shed will be included in a future NOI that they planned to file for the removal of trees, construction of a new garage and modification of the driveway. Mrs. Greiner was informed that her site's delineation needed to be approved by the Commission before it would be considered accurate.

**Motion** was made by Judi Johnson to issue a Negative Determination (checking #3 and #6) for 50 Granite Street; seconded by Valerie Marshall. **Vote: 4-0-0**

**46 Neponset Heights Avenue, DEP# 157-512**

Information Reviewed: Retaining Wall As-Built Plans, received 9/23/13

The Applicant, Maria Capone Goodwin, and her representatives, Mr. Peter Lavoie and Mr. Cary Orlandi (builder), were present to discuss a poured retaining wall and other issues that had been

observed by Conservation Manager Jane Pierce during her site visit on 9/18/13. After discussing the wall with Mr. Tom Orlandi, Jane had asked him to have an "as built" of the wall drawn up, showing the wall's location and dimensions, to be discussed during the meeting. Jane reviewed her Manager's Report's site visit findings, including the following:

1. No Order of Conditions was on site and the on-site plan was not the final approved plan, which had a final revision date of 8/9/13.
2. The approved plan's "impervious barrier and unreinforced retaining wall" had been replaced with a poured concrete wall that was reportedly two feet higher than approved. In addition, the wall was never approved by the Conservation Agent prior to installation, as required on the plan.
3. Silt fencing needed to be extended towards 44 Neponset Heights and protective fencing needed to be installed around the two trees to be preserved and soil piled on the tree's roots removed from around the base of the tree (located closest to 44 Neponset Heights) by hand.
4. A dewatering pipe, discharging into the not yet completed rain garden, was moved to one of the dry well pipes.
5. The rain garden's grading and stabilizing (with biodegradable mat or plantings) was to be completed before the house foundation was poured.
6. Photos, taken of the drywells (before being covered with soil) were to be submitted to the Commission.

Mr. Lavoie presented the retaining wall's as-built plan to the Commission for their review.

Judi noted that they had not installed a protective barrier around the trees, as previously discussed. Mr. Orlandi indicated that he would create a larger area around the trees with a metal barrier. Judi stated that the barrier should extend out along the tree's drip line. Mr. Orlandi indicated that the dirt in the front of the property had been removed.

Mr. Lavoie stated that the applicants were concerned that some trees, located next to the house, currently encroaching on the roof might fall, adding that some of the trees are rotting. They wanted to cut the overhanging branches, but would not cut any roots. One tree is on both the applicant's and neighbor's property. The Commission told Mrs. Goodwin that she could vista-prune the trees.

Restoration work and plantings on the water side of the property, including two feet of fill material, will be completed according to the approved 8/9/13 plan. Mr. Lavoie explained that they were trying to keep the retaining wall on the 269 foot contour line, adding that the wall will end at the corner of the house. The Commission approved the revised concrete retaining wall.

**Motion** was made by Valerie Marshall to approve the changes to the retaining wall as shown on the as-built plan; seconded by Judi Johnson. **Vote: 4-0-0**

### **Discussion Re: Neponset Dam, Stewardship Discussion**

Mr. David Warner, who lives on Neponset Reservoir, had attended the meeting to discuss his interest in stewardship of the Neponset Dam Reservoir. He informed the Commission that he is a master electrician and specializes in environmental control. Since he lives on the Reservoir, he always monitors it and said that he would let the Commission know when it was the best time to remove the boards. Val advised that the Commission could use his help, being the eyes and ears of the area, and asked him to contact Jane with any issues or suggestions.

### **87 North Street, Lane Conservation Property**

Jack Authelet, Jennifer Savickis and Kristin Hovey from the Historical Commission attended the meeting. They informed the Commission that they had received the demolition request for 87 North Street, adding that some of the members had gone out to see the property and the rest would

visit it before their next meeting. Ms. Savickis stated that some items at the property were of interest to the Historical Commission. The Historical Commission planned tour the garages of 87 and 89 North Street on the following Saturday.

Al gave a brief history of the Commission's ownership of the property, emphasizing the Commission's lack of money for its upkeep.

In the audience, Jonathan Lane (grandson of Cliff and Edith Lane who is a genealogist and historian living in Oxford, MA) introduced himself and said that his father was cognizant of the condition of the house at 87 North Street, but he indicated that it would be difficult for his father to learn that the house had been burned down. Jonathan Lane withdrew the family's support for the plan and hoped there was an alternative.

**Continued Hearing—Regulations for Foxborough's Wetland Bylaw (Article IX), Continued Hearing**

**Motion** was made by Valerie Marshall to continue the hearing for Article IX Regulations until October 7, 2013; seconded by Eric Nelson. **Vote: 4-0-0.**

**Land Management Committee**

Val reported to the Commission about the Committee's recent meeting with Bob Cutler.

**Meeting Adjourned**

**Motion** was made by Eric Nelson to adjourn; seconded by Valerie Marshall. **Vote: 4-0-0**

The meeting adjourned at 9:03 p.m.

Respectfully submitted,

Eric Nelson, Clerk

Draft minutes submitted by Lee Ann Tavares: 1/13/14

Reviewed by Jane ~~Sears~~ Pierce: 1/14/14

Approved by Commission: 1/27/14

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**Documents, Not Referenced Above**

**Attached Documents:**

1. Agenda, September 23, 2013
2. Meeting Sign In Sheet

**Location of Other Documents:**

3. Manager's Report, filed in Manager's Report binder in Conservation Commission's office.
4. Referenced projects' documents: please see Conservation Commission's project file